IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 221 OF 2005

Dr. Shiva Nandan Lall,
Ponda, Goa. ... Petitioner

versus

The State of Goa
through its Chief Secretary
and others. ... Respondents

Mr. Nitin Sardessai, Advocate for the Petitioner.

Mr. Sheikh Vahidulla, Additional Government Advocate for the State.

CORAM : R. M. LODHA &
N. A. BRITTO, JJ.

DATE : 23RD AUGUST, 2005.

P.C.:-

Heard Mr. Nitin Sardessai, the learned Counsel for the Petitioner.

This Writ Petition is wholly frivolous and devoid of any substance. It is not in dispute that the Petitioner attained superannuation on 30-4-2001. On the last date of service i.e. 30-4-2001, the Petitioner was suspended in anticipation of disciplinary proceedings. Ultimately, disciplinary proceedings were concluded by the Order dated 10-11-2003 wherein it was held that there was no gross irregularity committed by him warranting major penalty. The disciplinary proceedings were closed. It was directed that the suspension period should be treated as on duty.

Since the Petitioner superannuated on 30-4-2001, there was no question of making any payment of subsistence allowance to the Petitioner until 30-10-2003 as claimed by him.

In so far as the claim for payment of interest on G.P.F. is concerned, suffice it to say the Petitioner has been paid G.P.F. The facts and circumstances warrant no payment of the interest to the Petitioner. The Petitioner has also prayed for an amount of interest at the rate of 18% per annum under the Scheme of "Testing and Consultancy". No basis of this claim is established.

All in all, the Writ Petition is misconceived and does not deserve to be entertained. Dismissed in limine.

R. M. LODHA, J.

N. A. BRITTO, J.

RD.